

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Public Services – Roads and Buildings – Disciplinary Proceedings initiated against Sri A. Bapi Raju, Executive Engineer (R&B) (Retired) on the allegation of the irregularities in purchase of caution / sign boards in East and West Godavari Districts – Hon'ble High Court of Andhra Pradesh Orders dt.13.08.2011 in W.P. No. 17785/2009 – Implemented - Release of pensionary benefits - orders - Issued.

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TRANSPORT, ROADS & BUILDINGS (VIGI.1) DEPARTMENT

G.O.Rt.No. 23

Dated:09 -01-2012

Read the following:

- 1) G.O.Rt.No.1042, T,R & B (S.I.2) Deptt. Dt.17.09.2003.
- 2) G.O.Rt.No.1244, T,R&B (Vig.I.1) Deptt., Dt.05.09.2007, and G.O.Rt.No.1629, T, R & B (Vig.I.1) Deptt., Dt. 04.11.2008.
- 3) Hon'ble APAT orders dt.23.08.2007 in O.A.No.5774/2005 filed by Sri A. Bapi Raju, Executive Engineer (R&B) (Retired).
- 4) From the Engineer-in-Chief (R&B) Administration & National Highways, AP, Hyderabad Lr. No. 9205/Ser.I(2)/99, dt. 03.04.2008.
- 5) Govt. Memo. No. 12820/VIG.I(1)/2005-11, dt. 23.04.2008.
- 6) From the Engineer-in-Chief (R&B) Administration & National Highways, AP, Hyderabad Lr. No. 9205/Ser.I(2)/99, dt. 17.08.2009.
- 7) Hon'ble High Court of Andhra Pradesh orders dt.13.08.2011 in W.P.No.17785/2005 filed by the ENC (R&B) Admn. Hyderabad.
- 8) From the Engineer-in-Chief (R&B) Administration & National Highways, AP, Hyderabad D.O. Lr.No.9205/Ser.I(2)/99, Dt.13.12.2011.

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ORDER:

Charges were framed against Sri A. Bapi Raju, Executive Engineer (R&B), Bhimavaram, (Retired), vide reference first read above, on the allegation of the irregularities in purchase of caution boards through quotations in violation of instructions in East Godavari and West Godavari districts; and, Inquiring Authority was appointed, vide reference second read above, to conduct detailed inquiry into the charges framed against Sri A. Bapi Raju, Executive Engineer (R&B) (Retired), among others.

2. Aggrieved by the above Charge Memo, Sri A. Bapi Raju, Executive Engineer (R&B) (Retired), filed OA, in Hon'ble Andhra Pradesh Administrative Tribunal, which ordered on 23-08-2007 in the reference third read above, in O.A.No. 5774/2005 stating that the Charge Memo., dt.17.09.2003 (reference first read above ) was issued beyond four years; that the impugned action of issuing the Charge Memo was directly hit by Rule 9(1) (b) of the Revised Pension Rules; that this action of the respondents itself is sufficient to quash the impugned Charge Memo; that the impugned G.O.Rt.No.1042, dt.17.09.2003 is set aside; and, that the respondents are directed to process the pension papers of the applicant and to release all the Retiring benefits.

3. Aggrieved by the above said orders, the Engineer-in-Chief (R&B) Administration & National Highways, AP, Hyderabad was permitted to file an appeal before the Hon'ble High Court of Andhra Pradesh, vide reference fifth read above; the Engineer-in-Chief (R&B) Administration & National Highways, AP, Hyderabad filed W.P. No. 17785/2009 before the Hon'ble High Court of Andhra Pradesh in the reference sixth read above; and, the Hon'ble High Court of Andhra Pradesh, ordered on 13.08.2011, vide reference seventh read above in W.P.No.17785/2009, stating that the articles of charge are with regard to the event that allegedly took place during 1997-98; that the issue of G.O.Rt.No.1042, dt.17.09.2003 is clearly prohibited by the Rule 9(2)(b)(ii) of the Revised Pension Rules; and, ordered that they did not find any reason to differ the view taken by the Tribunal".

(P.T.O)

4. On this, the Engineer-in-Chief (R&B) Administration & N.H., Hyderabad requested, vide reference eighth read above, to issue necessary instructions on release of pensionary benefits to Sri A.Bapi Raju, Executive Engineer (R&B), (Retired), as per the orders dt.23.08.2007 of Hon'ble Andhra Pradesh Administrative Tribunal in O.A. No. 5774/2005, and, orders dt.13.08.2011 of Hon'ble High Court of Andhra Pradesh in W.P.No.17785/2009.

5. Government, after careful consideration of the orders of the Hon'ble High Court of Andhra Pradesh, dt.13.08.2011 in W.P.No.17785/2009, read with orders dt.23.08.2007 of the Hon'ble Andhra Pradesh Administrative Tribunal in O.A. No. 5774/2005, decide and hereby order release of pensionary benefits to Sri A. Bapi Raju, Executive Engineer (R&B) (Retired on 31.12.1999); and also order withdrawal of the name of Sri A. Bapi Raju, Executive Engineer (R&B) (Retired on 31.12.1999) from the enquiry ordered in the reference second read above.

6. The Engineer-in-Chief (R&B) Administration & National Highways, AP, Hyderabad, shall take necessary further action accordingly.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

S.P.SINGH  
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri A. Bapi Raju, Executive Engineer (R&B), (Retired), **Through** The Engineer-in-Chief (R&B) Administration & National Highways, AP, Hyderabad.

The Engineer-in-Chief (R&B) Administration & National Highways, AP, Hyderabad.

**Copy to:**

The Secretary, Andhra Pradesh Vigilance Commission, A.P., Hyderabad.

The General Administration (V&E) Department, BRK Bhavan, Hyderabad.

The General Administration (COI.SB) Department.

The Accountant General, Andhra Pradesh Hyderabad.

The Deputy Accountant General (Pensions), A.P., Hyderabad.

SF/SC.

//FORWARDED BY ORDER//

SECTION OFFICER